REMARKS

The present amendment is in response to the Office Action dated October 31, 2007. Claims 1-21 are now present in this case. Claims 1, 4, 8, 9, 13, 18 and 19 are amended. No Claims are canceled. No new claims have been added.

The Examiner will kindly note that representation in this matter has been transferred to another attorney. A revocation/substitute power of attorney will be filed in the near future.

The Examiner objected to claims 18-21 under 37 C.F.R. § 1.75 for some minor informalities. The applicant corrected those informalities and request that the Examiner withdraw the objection.

Claims 1 and 3-7 stand rejected under 35 U.S.C. 35 U.S.C. § 103(a) as unpatentable over ETSI TS 123 060 V3.15.0 (2003-06) ("the GSM standard") in combination with U.S. Patent No. 6,370,390 to Salin et al.. The applicant respectfully traverses this rejection and requests reconsideration.

The applicant believes Claim 1 as amended is not unpatentable over the GSM standard in combination with Salin (the "cited art') since Claim 1 has at least one element not taught or suggested by the cited art, specifically:

> "if the primary network operation mode is recovered, switching the operation mode of the network back to the primary network operation mode."

The applicant agrees with the Examiner that the GSM standard fails to teach this element. (Office Action, page 3). The applicant believes Salin does not cure this deficiency. Claim 1 has been amended to make clear that the network operation modes control the way paging messages are transmitted to a mobile subscriber:

> "transmitting paging messages to the mobile subscriber according to one of a plurality of network operation modes, including a primary network operation mode and a secondary network operation mode, the network paging messages including switched circuit paging messages and GPRS paging messages."

Salin teaches a method for changing the way short message service (SMS) messages are transmitted to a mobile subscriber. (Salin, Abstract). Salin teaches transmitting SMS messages through a serving GPRS support node (SGSN), switching to transmitting SMS messages through a MSC if the mobile subscriber is unreachable through the SGSN, and switching back to transmitting SMS messages through the SGSN when the mobiles subscriber becomes reachable again through the SGSN. (Salin, Fig. 2). However, Salin does not teach or suggest that the mode of transmitting switched circuit pages and GPRS pages is changed. Indeed, the network operation modes recited in Claim 1 had not become established at the time Salin was filed. (the GSM standard, page 199). Nor would Salin's method suggest itself to one faced with the problem of unavailable network operation modes, a problem internal to the GPRS/GSM network. Salin does not decribed its method as a solution to the problem of failures within the GPRS/GSM network, but rather as a solution to the different problem of a mobile subscriber unreachable by the GPRS network for reasons external to the GPRS/GSM network such as poor radio conditions between the GPRS network and the mobile subscriber or the mobile subscriber has decided to detach from the GPRS network. For at least these reasons, the applicants believe this rejection has been overcome.

Claims 3-7 are dependent on Claim 1 and the applicants believe that these rejections of Claims 3-7 are overcome for at least the same reasons as the applicant has given for overcoming the rejection of Claim 1.

Claim 2 stands rejected under 35 U.S.C. 35 U.S.C. § 103(a) as unpatentable by Salin et al. combined with U.S. Patent Publication No. 2002/0006125 to Josse et al. The applicant respectfully traverses this rejection and requests reconsideration.

The Office action finds the combination of the GSM standard and Salin as teaching the elements that Claim 2 incorporates from Claim 1 and finds Josse teaches the additional elements recited by Claim 2. The applicants believe this rejection of Claim 2 is overcome for at least the same reasons as given for Claim 1.

Claims 8-12 stand rejected under 35 U.S.C. 35 U.S.C. § 103(a) as unpatentable by Josse et al. The applicant respectfully traverses this rejection and requests reconsideration.

The applicant believes Claim 8 as amended is not unpatentable over the GSM standard in combination with Josse (the "cited art') since Claim 8 has at least one element not taught or suggested by the cited art, specifically:

"after the first routing is recovered, transmitting further paging messages to the mobile subscriber via the first routing."

The applicant agrees with the Examiner that the GSM standard fails to teach this element. (Office Action, page 7). The Office Action did not point out where Josse teaches or suggests this element and the applicant believes that Josse does not do so. Josse teaches a method for changing the way short message service (SMS) messages are transmitted to a mobile subscriber. (Josse, Abstract, paragraphs [0002], [0036]). Josse teaches "enabling the operator and/or the end-user to control how the short messages are routed through the network." (Josse, paragraph [0036]). However, Josse does not teach anything about changing how paging messages are routed, much less that "after the first routing is recovered, transmitting further paging messages to the mobile subscriber via the first routing" as recited by Claim 8. For at least these reasons, the applicants believe this rejection has been overcome.

Claims 9-12 are dependent on Claim 8 and the applicants believe that these rejections of Claims 9-12 are overcome for at least the same reasons as the applicant has given for overcoming the rejection of Claim 8.

Claims 13-16 stand rejected under 35 U.S.C. 35 U.S.C. § 103(a) as unpatentable by Josse et al. combined with U.S. Patent Publication No. 2002/0110116 to Aaltonen. The applicant respectfully traverses this rejection and requests reconsideration.

The Office action finds the combination of the GSM standard and Josse as teaching the elements that Claims 13-16 incorporate from Claim 8 and finds Aaltonen teaches the additional elements recited by Claim 13-16. The applicants believe these rejections of Claims 13-16 are overcome for at least the same reasons as given for Claim 8.

Claims 19-21 stand rejected under 35 U.S.C. 35 U.S.C. § 103(a) as unpatentable over the GSM standard in combination with Aaltonen. The applicant respectfully traverses this rejection and requests reconsideration.

The applicant believes Claim 19 as amended is not unpatentable over the GSM standard in combination with Aaltonen (the "cited art") since Claim 19 has at least one element not taught or suggested by the cited art, specifically:

> "the MSC, BSC and SGSN configured to switch the current network operation mode from the secondary network operation mode to the primary network operation mode upon a clearing of the failure preventing the routing of paging messages in the primary operation mode."

The applicant believes the GSM standard fails to teach network operation modes switched automatically based on an interface status. The applicant believes Aaltonen does not cure this deficiency. Claim 19 has been amended to make clear that the network operation modes control the way paging messages are transmitted to a mobile subscriber:

> "the MSC, BSC and SGSN configured to route paging messages to the mobile subscriber according a current network operation mode."

Aaltonen teaches a method for changing the way short message service (SMS) messages are transmitted to a mobile subscriber. (Aaltonen, Abstract). Aaltonen teaches transmitting SMS messages through a serving GPRS support node (SGSN), switching to transmitting SMS messages through a MSC if the mobile subscriber is unreachable through the SGSN, and switching back to transmitting SMS messages through the SGSN when the mobiles subscriber becomes reachable again through the SGSN. (Aaltonen, Fig. 3). However, Aaltonen does not teach that the mode of transmitting switched circuit pages and GPRS pages is changed. Nor would Aaltonen's method suggest itself to one faced with the problem of unavailable network operation modes, a problem between the MSC, BSC and SGSN elements of the GPRS/GSM network. Aaltonen does not describe its method as dealing with the problem of failures between these elements, but rather describes it a method to

overcome the problem of a mobile subscriber is unreachable by the GPRS network for reasons external to the MSC, BSC and SGSN elements of the GPRS/GSM network such as poor radio conditions between the GPRS network and the mobile subscriber or no Gd interface has been installed between the SMS server and the MSC. For at least these reasons, the applicants believe this rejection has been overcome.

Claims 20-21 are dependent on Claim 19 and the applicants believe that these rejections of Claims 20-21 are overcome for at least the same reasons as the applicant has given for overcoming the rejection of Claim 19.

In view of the above amendments and remarks, reconsideration of the subject application and its allowance are kindly requested. The applicant has made a good faith effort to place all claims in condition for allowance. If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 757-8203.

Respectfully submitted,

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